

Message Text

PAGE 01 STATE 041620

10

ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CCO-00 CIAE-00 OTPE-00 FCC-02

INR-07 NSAE-00 OC-05 USIA-15 COME-00 BIB-01 SS-15

ACDA-10 DODE-00 PM-04 L-03 NASA-02 NSC-05 OES-05 H-02

PA-02 PRS-01 SP-02 CG-00 DOTE-00 /101 R

DRAFTED BY EB/TD:JJO'NEILL:SP

APPROVED BY EB/TD:JJO'NEILL, JR.

----- 067548

P 210005Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY LONDON PRIORITY

UNCLAS STATE 041620

FOR WILLIAM K. MILLER

E.O. 11652: N/A

TAGS: PORG, ETEL, IMCO

SUBJECT: DRAFT LEGISLATION FOR U.S. DESIGNATED ENTITY,
INMARSAT.

REF: LONDON 2683, STATE 40428

TEXT OF DRAFT LEGISLATION FOLLOWS:

"A BILL TO PROVIDE FOR THE ESTABLISHMENT, OWNERSHIP,
OPERATION, AND REGULATION OF COMMERCIAL INTERNATIONAL
MOBILE SATELLITE TELECOMMUNICATIONS SERVICES AND SYSTEMS,
AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES
OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

UNCLASSIFIED

PAGE 02 STATE 041620

SHORT TITLE, DECLARATION OF POLICY AND PURPOSE

SECTION 1. THIS ACT MAY BE CITED AS THE 'INTERNATIONAL
MOBILE SATELLITE TELECOMMUNICATIONS ACT OF 1976.'

SECTION 2. (A) THE CONGRESS HEREBY DECLARES THAT IT IS THE POLICY OF THE UNITED STATES TO FOSTER, IN CONJUNCTION AND IN COOPERATION WITH OTHER COUNTRIES, THE ESTABLISHMENT OF INTERNATIONAL MOBILE SATELLITE TELECOMMUNICATIONS SERVICES, INCLUDING MARITIME, AERONAUTICAL AND OTHER INTERNATIONAL MOBILE SERVICES AS APPROPRIATE, WHICH WILL BE RESPONSIVE TO PUBLIC NEEDS, NATIONAL OBJECTIVES, THE REQUIREMENTS OF THE UNITED STATES AND OTHER COUNTRIES, AND WHICH WILL CONTRIBUTE TO WORLD PEACE AND UNDERSTANDING.

(B) IT IS THE INTENT OF CONGRESS THAT UNITED STATES PARTICIPATION IN COOPERATIVE MULTINATIONAL ENDEAVORS TO PROVIDE INTERNATIONAL MOBILE SATELLITE TELECOMMUNICATIONS SERVICES SHALL BE IN THE FORM OF A DESIGNATED PRIVATE CORPORATION, SUBJECT TO APPROPRIATE GOVERNMENTAL REGULATION.

(C) IT IS THE FURTHER INTENT OF CONGRESS THAT THERE SHALL BE MAXIMUM COMPETITION AMONG UNITED STATES COMMON CARRIERS IN THE PROVISION OF INTERNATIONAL MOBILE SATELLITE TELECOMMUNICATIONS SERVICES, AND THAT TO EFFECTUATE THIS INTENT, THE DESIGNATED PRIVATE CORPORATION SHALL FURNISH INTERNATIONAL MOBILE SATELLITE CAPACITY TO SUCH COMMON CARRIERS IN THE MANNER PROVIDED AT SECTION 4(C) OF THIS ACT.

DEFINITIONS

SECTION 3. AS USED IN THIS ACT, AND UNLESS THE CONTEXT OTHERWISE REQUIRES --

(A) THE TERM 'TELECOMMUNICATIONS' MEANS ANY TRANSMISSION, EMISSION OR RECEPTION OF SIGNS, SIGNALS, WRITING, IMAGES AND SOUNDS OR INTELLIGENCE OF ANY NATURE BY WIRE, RADIO, VISUAL OR OTHER ELECTROMAGNETIC MEANS.
UNCLASSIFIED

PAGE 03 STATE 041620

(B) THE TERM 'MOBILE SATELLITE TELECOMMUNICATIONS' MEANS ALL FORMS OF TELECOMMUNICATIONS TO AND FROM MOBILE SATELLITE TERMINAL STATIONS, INCLUDING BUT NOT LIMITED TO VOICE AND RECORD COMMUNICATIONS AND TELECOMMUNICATIONS FOR THE PURPOSE OF NAVIGATION AND POSITION DETERMINATION.

(C) THE TERM 'MOBILE SATELLITE TELECOMMUNICATIONS SYSTEM' REFERS TO AN OPERATIONAL SYSTEM OF SATELLITES IN SPACE WHOSE PURPOSE IS TO RELAY TELECOMMUNICATIONS INFORMATION BETWEEN FIXED TERMINAL STATIONS LOCATED ON LAND AND MOBILE SATELLITE TERMINAL STATIONS, TOGETHER WITH SUCH ASSOCIATED FIXED MOBILE SATELLITE TERMINAL

STATIONS, AND EQUIPMENT AND FACILITIES FOR TRACKING,

GUIDANCE, CONTROL, AND COMMAND FUNCTIONS AS ARE NOT
PART OF GENERALIZED LAUNCHING, TRACKING, CONTROL, AND
COMMAND FACILITIES FOR ALL SPACE PURPOSES;

(D) THE TERM 'MOBILE SATELLITE TERMINAL STATION' REFERS
TO A COMPLEX OF TELECOMMUNICATIONS EQUIPMENT LOCATED AT
A FIXED POINT ON LAND OR ON A SHIP, AIRCRAFT, VESSEL OR
A MOVABLE MARITIME PLATFORM, WHICH IS INTENDED FOR, AND
CAPABLE OF, TRANSMITTING TELECOMMUNICATIONS TO OR
RECEIVING TELECOMMUNICATIONS FROM A MOBILE
SATELLITE TELECOMMUNICATIONS SYSTEM AND, IN THE CASE
OF A FIXED MOBILE SATELLITE TERMINAL STATION, IS
OPERATIONALLY CONNECTED WITH ONE OR MORE TERRESTRIAL
COMMUNICATIONS SYSTEMS;

(E) THE TERM 'COMMON CARRIER' MEANS A 'COMMON CARRIER'
AS DEFINED IN THE COMMUNICATIONS ACT OF 1934, AS
AMENDED.

(F) THE TERM 'CORPORATION' MEANS THE SUBSIDIARY
CORPORATION OF THE COMMUNICATIONS SATELLITE CORPORATION
TO BE ESTABLISHED PURSUANT TO SECTION 4(A)(1) OF THIS
ACT;

(G) THE TERM 'COMMISSION' MEANS THE FEDERAL
UNCLASSIFIED

PAGE 04 STATE 041620

COMMUNICATIONS COMMISSION.

CREATION OF A CORPORATION FOR INTERNATIONAL MOBILE
SATELLITE TELECOMMUNICATIONS SERVICES

SECTION 4. (A)(1) THE COMMUNICATIONS SATELLITE
CORPORATION IS HEREBY AUTHORIZED TO PARTICIPATE,
THROUGH A WHOLLY-OWNED SUBSIDIARY CORPORATION, AS THE
UNITED STATES OPERATING ENTITY IN SUCH INTERNATIONAL
ORGANIZATIONS AS MAY BE ESTABLISHED TO PROVIDE
INTERNATIONAL MOBILE SATELLITE TELECOMMUNICATIONS
SERVICES AND TO WHICH THE UNITED STATES MAY BECOME
A PARTY. THE CORPORATION SHALL BE SUBJECT TO THE
PROVISIONS OF THIS ACT AND, TO THE EXTENT CONSISTENT
WITH THIS ACT, TO THE LAWS GOVERNING CORPORATIONS IN
THE JURISDICTION WITHIN THE UNITED STATES IN WHICH IT
IS INCORPORATED. THE CORPORATION SHALL ESTABLISH ITS
HEADQUARTERS IN THE DISTRICT OF COLUMBIA.

(2) SUBJECT TO THE PROVISIONS OF SECTION 5(A) OF THIS
ACT, THE CORPORATION SHALL BE SOLELY RESPONSIBLE FOR
REPRESENTATION OF THE UNITED STATES IN ANY INTERNATIONAL
ORGANIZATION ESTABLISHED TO OPERATE AN INTERNATIONAL

MOBILE SATELLITE TELECOMMUNICATIONS SYSTEM, AND SHALL HAVE ULTIMATE AND FINAL RESPONSIBILITY FOR THE OPERATION AND MAINTENANCE OF THE CAPACITY OF SUCH SYSTEM ALLOCATED FOR USE BY THE UNITED STATES.

(B) NOTWITHSTANDING THE PROVISIONS OF THE LAW OF ANY STATE OR OF THE DISTRICT OF COLUMBIA, THE ARTICLES OF INCORPORATION OF THE CORPORATION SHALL PROVIDE FOR THE CONTINUED ABILITY OF ITS BOARD OF DIRECTORS TO TRANSACT BUSINESS UNDER SUCH CIRCUMSTANCES OF NATIONAL EMERGENCY AS THE PRESIDENT OF THE UNITED STATES, OR THE OFFICER DESIGNATED BY HIM, MAY DETERMINE WOULD NOT PERMIT A PROMPT MEETING OF THE NUMBER OF DIRECTORS OTHERWISE REQUIRED TO TRANSACT BUSINESS.

(C) PURSUANT TO THE PROVISIONS OF THE COMMUNICATIONS ACT OF 1934, THE CORPORATION SHALL MAKE AVAILABLE TO COMMON CARRIERS, INCLUDING THE COMMUNICATIONS SATELLITE UNCLASSIFIED

PAGE 05 STATE 041620

CORPORATION OR ITS SUBSIDIARY, SUCH PORTION OF THE TOTAL CAPACITY OF THE SYSTEM AS EACH SUCH CARRIER MAY REQUIRE TO FURNISH INTERNATIONAL MOBILE TELECOMMUNICATIONS SERVICES TO THE PUBLIC; PROVIDED THAT EACH SUCH

CARRIER SHALL CONTRIBUTE TO THE CORPORATION A PRO RATA SHARE OF THE TOTAL INITIAL CAPITAL COSTS OF THE SYSTEM AND ANY FURTHER CAPITAL COSTS INCURRED IN CONNECTION WITH THE CONTINUED OPERATION OF THE SYSTEM, AND THE CAPITAL COSTS SO CONTRIBUTED SHALL BE AVAILABLE FOR INCLUSION IN THE RATE BASE OF EACH SUCH CARRIER WITH RESPECT TO ITS PROVISION OF INTERNATIONAL MOBILE TELECOMMUNICATIONS SATELLITE SERVICE; AND PROVIDED FURTHER THAT EACH SUCH CARRIER SHALL ALSO BE RESPONSIBLE FOR ITS PRO RATA PORTION OF THE MAINTENANCE AND OPERATING COSTS OF THE SYSTEM INCURRED BY THE CORPORATION.

FEDERAL COORDINATION, PLANNING AND REGULATION

SECTION 3. IN ORDER TO ACHIEVE THE OBJECTIVES AND TO CARRY OUT THE PURPOSES OF THIS ACT --

(A) THE PRESIDENT SHALL:

(1) AID IN THE PLANNING AND DEVELOPMENT OF INTERNATIONAL MOBILE SATELLITE TELECOMMUNICATIONS SYSTEMS AND SERVICES WHICH ARE DEVELOPED PURSUANT TO ANY AGREEMENT, UNDERSTANDING OR OTHER ARRANGEMENT BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES, OR WHICH ARE REQUIRED TO MEET UNIQUE GOVERNMENTAL NEEDS OR ARE OTHERWISE REQUIRED IN THE NATIONAL INTEREST, AND INSURE

THAT TIMELY ARRANGEMENTS ARE MADE UNDER WHICH THERE CAN

BE PARTICIPATION BY THE UNITED STATES IN THE ESTABLISHMENT AND USE OF INTERNATIONAL MOBILE SATELLITE TELECOMMUNICATIONS SYSTEMS AND SERVICES;

(2) PROVIDE FOR THE CONTINUING REVIEW OF ALL PHASES OF THE DEVELOPMENT AND OPERATION OF SUCH SYSTEMS AND SERVICES AND COORDINATE THE ACTIVITIES OF THE
UNCLASSIFIED

PAGE 06 STATE 041620

CORPORATION, SUCH COMMON CARRIERS AS MAY OBTAIN MOBILE SATELLITE TELECOMMUNICATIONS CAPACITY PURSUANT TO SECTION 4(C) OF THIS ACT, AND GOVERNMENT AGENCIES WITH RESPONSIBILITIES IN THE FIELD OF TELECOMMUNICATIONS SO AS TO ENSURE THAT THERE IS FULL AND EFFECTIVE COMPLIANCE AT ALL TIMES WITH THE INTENTS AND PURPOSES OF THIS ACT, OTHER APPLICABLE LAWS, RULES, AND REGULATIONS, AND WITH THE GOVERNMENT'S RESPONSIBILITIES UNDER THE SAFETY OF LIFE AT SEA (SOLAS) CONVENTION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO) CONVENTION, THE INTERNATIONAL TELECOMMUNICATION UNION (ITU) RADIO REGULATIONS, AND OTHER RELEVANT INTERNATIONAL AGREEMENTS;

(3) EXERCISE SUCH SUPERVISION OVER RELATIONSHIPS OF THE CORPORATION WITH FOREIGN GOVERNMENTS OR ENTITIES OR WITH INTERNATIONAL ORGANIZATIONS AS MAY BE APPROPRIATE TO ASSURE THAT SUCH RELATIONSHIPS ARE CONSISTENT WITH THE NATIONAL INTEREST AND FOREIGN POLICY OF THE UNITED STATES;

(4) TAKE ALL NECESSARY STEPS TO ENSURE THE AVAILABILITY AND APPROPRIATE UTILIZATION OF MOBILE SATELLITE TELECOMMUNICATIONS SERVICES FOR GENERAL GOVERNMENTAL PURPOSES, EXCEPT WHERE A SEPARATE SYSTEM IS REQUIRED TO MEET UNIQUE GOVERNMENTAL NEEDS, OR IS OTHERWISE REQUIRED IN THE NATIONAL INTEREST;

(5) SO EXERCISE HIS AUTHORITY AS TO HELP OBTAIN COORDINATED AND EFFICIENT USE OF THE ELECTROMAGNETIC SPECTRUM AND ORBITAL SPACE AND THE TECHNICAL COMPATIBILITY OF MOBILE SATELLITE SERVICES WITH EXISTING COMMUNICATIONS FACILITIES BOTH IN THE UNITED STATES AND ABROAD.

(B) THE FEDERAL COMMUNICATIONS COMMISSION SHALL HAVE, WITH RESPECT TO THE CORPORATION AND SUCH COMMON CARRIERS AS MAY PROVIDE INTERNATIONAL MOBILE SATELLITE TELECOMMUNICATIONS SERVICES, ALL THE POWERS AND DUTIES CONFERRED UPON IT BY THE PROVISIONS OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED, INCLUDING

UNCLASSIFIED

PAGE 07 STATE 041620

THE POWER TO MAKE RULES AND REGULATIONS TO CARRY OUT THE

PROVISIONS OF THIS ACT. WHENEVER THE APPLICATION OF
THE PROVISIONS OF THIS ACT SHALL BE INCONSISTENT WITH THE
APPLICATION OF THE PROVISIONS OF THE COMMUNICATIONS ACT
OF 1934, THE PROVISION OF THIS ACT SHALL GOVERN. INGERSOLL

UNCLASSIFIED

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 15 SEP 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COMMUNICATION SATELLITES, LEGISLATIVE BILLS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE041620
Document Source: ADS
Document Unique ID: 00
Drafter: EB/TD:JJO'NEILL:SP
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: D760065-0382
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t197602103/baaaeoew.tel
Line Count: 283
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: castelsl
Review Comment: n/a
Review Content Flags:
Review Date: 07 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 JUL 2004 by schwenja>; APPROVED <24 AUG 2004 by castelsl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DRAFT LEGISLATION FOR U.S. DESIGNATED ENTITY,
TAGS: PORG, ETEL, US, IMCO
To: LONDON
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006